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WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests this Honorable Court to grant this Motion of dismissal with prejudice against the Defendant Midland Credit Management, Inc. only.

Respectfully Submitted,

/s/ John G. Watts

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing pleading through this court's electronic filing and notification system and via email on this the 26th Day of October, 2009.

/s/ John G. Watts

Of Counsel